

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
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-v- : 17-CR-548 (JMF)
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JOSHUA ADAM SCHULTE, :
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Defendant. :
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JESSE M. FURMAN, United States District Judge:

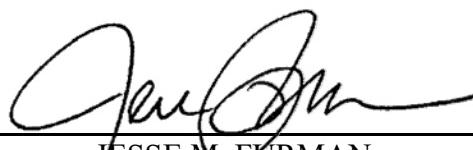
The Court has received two classified submissions from the Defendant: one regarding the public availability of information he is charged with communicating and attempting to communicate in Counts 3 and 4 (the “NDI Submission”); and one responding to the Government’s CIPA Section 6 motion with respect to his May 23, 2022 CIPA Section 5 notice (“CIPA Section 6 Submission”).

With respect to the NDI Submission, the Court is persuaded that the evidence he identifies in Item A would be admissible (for the reasons discussed in the Court’s Opinion and Order of May 24, 2022). The Court is not persuaded that the evidence Defendant identifies in Items B and C of the NDI Submission would be admissible, but given the technical nature of the issues, the Court wishes to hear from the parties prior to making a ruling on that front. Accordingly, the parties shall appear for a classified conference with the Court on **June 13, 2022, at 9:00 a.m.**, prior to the start of trial. The conference will be held in the same room as the previous classified conferences.

When the classified hearing is completed, the Court will commence jury selection in Courtroom 23A of the Daniel Patrick Moynihan Courthouse. The Court will address Defendant’s request, filed earlier today, *see* ECF No. 860, for a two-day adjournment of the beginning of testimony at the outset of the public proceedings.

SO ORDERED.

Dated: June 10, 2022
New York, New York



JESSE M. FURMAN
United States District Judge